

DEC 07 2004



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**FAX TRANSMITTAL COVER SHEET****To: Examiner Chih Min Kam****Company:****Fax number: 17038729306****Phone number:****From: Richard Roche****Phone number:****Senders direct fax: 414-978-8805****Number of Pages (including cover sheet): 12****Date & Time Faxed: Tuesday, December 07, 2004 6:36:28 PM****Message:**

Attached is an RCE for:

**Applicants: Michael C. Barney et al.****Serial No.: 09/664,519****Filing Date: September 18, 2000****For: USE OF HOP ACIDS TO INHIBIT GROWTH OF  
STAPHYLOCOCCUS AUREUS AND PREVENT  
TOXIC SHOCK SYNDROME****Examiner: Chih Min Kam****Group Art Unit: 1653**

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PTO/SB/17 (11-04)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Effective on 10/01/2004. Patent fees are subject to annual revision.

# **FEE TRANSMITTAL** **For FY 2005**

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$) 1770

**Complete if Known**

Application Number	09/664,519
Filing Date	9-18-2000
First Named Inventor	Michael C. Barney
Examiner Name	Chih Min Kam
Art Unit	1653
Attorney Docket No.	660005.98757

**METHOD OF PAYMENT** (check all that apply)

☐ Check    ☐ Credit Card    ☐ Money Order  
☒ Deposit Account    ☐ None

Deposit Account Number: 17-0055  
 Deposit Account Name: Quarles & Brady LLP

The Director is hereby authorized to: (check all that apply)

- ☒ Charge fee(s) indicated below  
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**FEE CALCULATION**
**1. BASIC FILING FEE**

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
Utility Filing Fee	790	395	
Design Filing Fee	350	175	
Plant Filing Fee	550	275	
Reissue Filing Fee	790	395	
Provisional Filing Fee	160	80	
<b>Subtotal (1) \$</b>			<b>0.00</b>

**FEE CALCULATION** (continued)

**2. EXTRA CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20	18	9
Each independent claim over 3	88	44
Multiple dependent claims	300	150
For Reissues, each claim over 20 and more than in the original patent	18	9
For Reissues, each independent claim more than in the original patent	88	44
<b>Total Claims</b>		
$\text{HP} = \text{highest number of total claims paid for, if greater than 20}$		
<b>Indep. Claims</b>		
$\text{HP} = \text{highest number of independent claims paid for, if greater than 3}$		
<b>Multiple Dependent Claims</b>		
<b>Subtotal (2) \$</b>		<b>0.00</b>

**3. OTHER FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
1-month extension of time	110	55	
2-month extension of time	430	215	
3-month extension of time	980	490	980
4-month extension of time	1,530	765	
5-month extension of time	2,080	1,040	
Information disclosure stmt. fee	180	180	
37 CFR 1.17(q) processing fee	50	50	
Non-English specification	130	130	
Notice of Appeal	340	170	
Filing a brief in support of appeal	340	170	
Request for oral hearing	300	150	
Other: RCE			790
<b>Subtotal (3) \$</b>			<b>1770</b>

**SUBMITTED BY**

Signature	<i>Richard T. Roche</i>	Registration No. (Attorney/Agent)	38,599	Telephone	414-277-5805
Name (Print/Type)	Richard T. Roche	Date	12-7-2004		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket Number: 660005.98757

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Date of Signature  
and Fax Transmittal December 7, 2004

  
Richard T. Roche, Registration No. 38,599

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Michael C. Barney *et al.*  
Serial No.: 09/664,519  
Filing Date: September 18, 2000  
For: USE OF HOP ACIDS TO INHIBIT GROWTH OF  
STAPHYLOCOCCUS AUREUS AND PREVENT  
TOXIC SHOCK SYNDROME  
Examiner: Chih Min Kam  
Group Art Unit: 1653

**AMENDMENT**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed on June 8, 2004. Attached is a request for a three month extension of time to extend the deadline for response to December 8, 2004.

Please amend the above-identified patent application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.